

by the Foundation pursuant to the Privacy Act unless made (1) by the individual to whom the record pertains, (2) by such individual's parent if the individual is a minor, or (3) by such individual's legal guardian if the individual has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction). In cases where the NSF Notice of the System appearing in the FEDERAL REGISTER states that the system location is decentralized the special instruction in such notice pertaining to "Notification" and "Access" and "Content" must be followed.

(c) The Foundation will attempt to respond to a request as to whether a record exists within 10 working days from the time it receives the request or from the time any required identification is established, whichever is later.

[40 FR 44510, Sept. 26, 1975, as amended at 49 FR 37595, Sept. 25, 1984; 59 FR 37438, July 22, 1994]

§ 613.3 Procedures for requests for access to or disclosure of records pertaining to an individual.

(a) Any person may request review of records pertaining to him by appearing at the NSF Division of Administrative Services at 4201 Wilson Boulevard, Arlington, VA on work days between the hours of 8:30 a.m. and 5 p.m. or by writing to the NSF Privacy Act Officer, Division of Contracts, Policy, and Oversight, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. (See paragraphs (b) and (c) of this section, for identification requirements.) The request should specifically identify the systems of records involved, and the request should include any special information specified in the notice of the system under "Notification" and "Access and Contest." The Foundation will strive either to make the record available within 15 working days of the request or to inform the requester of the need for additional identification or the tendering of fees (as specified in § 613.4(e)) within 15 working days; except that if the request for access was not preceded by a notification request as provided in § 613.2, then the 15-day period shall not begin until after such time as it has been determined that the record exists.

(b) In the case of persons making requests by appearing at the Foundation the amount of personal identification required will of necessity vary with the sensitivity of the record involved. Except as indicated below reasonable identification such as employment identification cards, drivers licenses, credit cards will normally be accepted as sufficient evidence of identity in the absence of any indications to the contrary. Records in the following systems of records, however, are considered to contain relatively sensitive and/or detailed personal information—

Accident and Injury Reports (Antarctic)
 Alien Applications for Consideration of
 Waiver of Two-Year Foreign Residence Requirements
 Antarctic Conservation Act Files
 Antarctic Service Records
 Application and Account for Advance of
 Funds (SF 1038)
 Debarment/Scientific Misconduct Files
 Delinquent Debtors File
 Dissertation Advisers File
 Diving Safety Records (Polar Regions)
 Doctorate Records Files
 Doctorate Work History File
 Earnings and Tax Statement (W-2)
 Employee Grievance and Appeals File
 Employee Locator Record Card
 Employee Payroll Jacket
 Fellowship and Other Awards
 Fellowship Payroll
 Frequent Traveler Profile
 Individual Retirement Records
 Manpower Management Subsystem
 Medical Examination Records for Service in
 Polar Regions
 National Survey of Recent College Graduates
 and Follow-up File
 NSF Payroll System
 Officer of Inspector General Investigative
 Files
 Official Passports
 P.I./Proposal File and Associated Records
 Personnel Security Control Cards
 Personnel Tracking System (Antarctic)
 Public Transportation Subsidy Program
 Radiation Safety Records (Polar Regions)
 Reviewer/Fellowship and Other Award File
 and Associated Records
 Reviewer/Proposal File and Associated
 Records
 Science and Technology Centers (STC) Data-
 base
 Telephone Call Detail Program Records
 Time and Attendance Reports
 EEOC/GOVT-1, Equal Employment Oppor-
 tunity in the Federal Government Com-
 plaint and Appeal Records
 OGE/GOVT-1, Executive Branch Public Fi-
 nancial Disclosure Reports and Other Eth-
 ics Program Records

National Science Foundation

§ 613.4

OGE/GOVT-2, Confidential Statements of Employment and Financial Interests
OPM/GOVT-1, General Personnel Records
OPM/GOVT-5, Recruiting, Examining and Placement Records
OPM/GOVT-7, Applicant Race, Sex, National Origin, and Disability Records.
OPM/GOVT-10, Employee Medical File System of Records

Accordingly, with respect to requests for records in these systems the Foundation reserves the right to require sufficient identification to identify positively the individual making the request. This might involve independent verification by the Foundation as by phone calls to determine whether an individual has made a request, personal identification by Foundation employees who know the individual, or such other means as are considered appropriate under the circumstances.

(c) A written request will be honored only if it contains the following certification before a duly commissioned notary public of any state or territory (or similar official if the request is made outside the United States):

I, _____, do hereby certify that I am the individual about whom the record requested in this letter pertains or that I am within the class of persons authorized to act on his behalf in accordance with 5 U.S.C. 552a(h).

(Signature)

(Date)

In the County of _____
State of _____

On this _____ day of _____, 19__.

(Name of Individual)

who is personally known to me, did appear before me and sign the above certificate.

(Signature)

(Date)

(S) My commission expires _____.

However, where the record requested is contained in any of the systems of records listed in paragraph (b) of this section, the Foundation reserves the right to require additional identification and/or to independently verify to its satisfaction the identity of the requester.

(d) Charges for copies of records will be at the rate of \$0.10 per photocopy of each page. Where records are not susceptible to photo-copying, e.g., punch cards, magnetic tapes or oversize materials, the amount charged will be actual cost as determined on a case-by-case basis. Only one copy of each record requested will be supplied. No charge will be made unless the charge as computed above would exceed \$3.00 for each request or related series of requests. If a fee in excess of \$25.00 would be required, the requester shall be notified and the fee must be tendered before the records will be copied.

(e) The procedures of paragraphs (a) through (d) of this section shall also apply to requests made pursuant to 5 U.S.C. 552a(c)(3) that accountings made under 5 U.S.C. 552a(c)(1) be made available.

[40 FR 44510, Sept. 26, 1975, as amended at 42 FR 8639, Feb. 11, 1977; 49 FR 37596, Sept. 25, 1984; 59 FR 37438, July 22, 1994; 61 FR 51022, Sept. 30, 1996]

§ 613.4 Correction of records.

(a) Any individual is entitled to request amendments of records pertaining to him pursuant to 5 U.S.C. 552a(d)(2). Such a request shall be made in writing and addressed to the NSF Privacy Act Officer, Division of Contracts, Policy, and Oversight, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

(b) The request should specify the record and systems of records involved, and should specify the exact correction desired and state that the request is made pursuant to the Privacy Act. An edited copy of the record showing the desired correction is desirable. Within 10 working days of the receipt of a properly addressed request (or within 10 working days of the time the Privacy Act Officer becomes aware that a particular communication not addressed as prescribed above is a request for correction of a record under the Privacy Act), the Privacy Act Officer shall acknowledge receipt of the request.

(c) The Privacy Act Officer upon the receipt of such a request shall promptly confer with the Directorate or office within the NSF responsible for the record. If the Privacy Act Officer finds